



## DOCKET NO. 25004

Complaint and Request of )  
EL PASO NETWORKS, LLC, )  
For Interim Ruling for Post ) BEFORE THE PUBLIC  
Interconnection Agreement ) UTILITY COMMISSION  
Dispute Resolution With ) OF TEXAS  
Southwestern Bell Telephone )  
Company )

## DOCKET NO. 25188

Petition of )  
EL PASO NETWORKS, LLC, )  
For Arbitration Pursuant to )  
Section 252(b) of the ) BEFORE THE PUBLIC  
Communications Act of 1934, ) UTILITY COMMISSION  
as amended by the ) OF TEXAS  
Telecommunications Act of )  
1996, and PURA for Rates, )  
Terms, and Conditions of )  
Interconnection Agreement )  
with Southwestern Bell )  
Telephone )

**COPY**

ORAL DEPOSITION OF

SALLY ROSSMAN

APRIL 11, 2002

DICKMAN DAVENPORT, INC.

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1 ORAL DEPOSITION of SALLY ROSSMAN,  
2 produced as a witness at the instance of El Paso  
3 Networks, and duly sworn, was taken in the above-styled  
4 and numbered cause on the 11th of April, 2002, from 1:31  
5 p.m. to 3:28 p.m., before Nancy P. Blankenship, CSR in  
6 and for the State of Texas, reported by machine  
7 shorthand, at the offices of Hughes & Luce, LLP, 1717  
8 Main Street, Suite 2800, in the City of Dallas, County  
9 of Dallas, State of Texas, pursuant to the Texas Rules  
10 of Civil Procedure and the provisions stated on the  
11 record.

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24  
25

A P P E A R A N C E S

FOR EL PASO NETWORKS LLC:  
Mr. Stephen Crawford  
1001 Louisiana  
Houston, Texas 77002  
(713) 420-5896

FOR SOUTHWESTERN BELL TELEPHONE COMPANY:  
Mr. Floyd R. Hartley  
HUGHES & LUCE, LLP  
1717 Main Street, Suite 2800  
Dallas, Texas 75201

ALSO PRESENT:  
Patty Hogue

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P R O C E E D I N G S

SALLY ROSSMAN,

having been first duly sworn, testified as follows:

## EXAMINATION

BY MR. CRAWFORD:

Q. Ms. Rossman, my name is Steve Crawford. We just met, correct?

A. Yes.

Q. And I'll try to go quick today to meet your time frame. Okay?

A. Thank you.

Q. You understand that I'm an attorney for El Paso Networks?

A. Yes.

Q. And that El Paso Networks is in an arbitration before the PUC regarding the interconnect agreement with Southwestern Bell Telephone Company?

A. Correct.

Q. I will refer to Southwestern Bell Telephone Company as SWBT today.

A. Okay.

Q. Now, this gentleman on your left is the attorney for Southwestern Bell Telephone Company. He is here for your assistance today. Do you understand that?

A. Yes.

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13:31:59 1 Q. At any time you feel uncomfortable and need to  
13:31:59 2 take a break or, you know, want to take a break for any  
13:31:59 3 reason, you just let me know and we can break. Okay?

13:32:01 4 A. Okay.

13:32:02 5 Q. And I also want to make sure that you only  
13:32:04 6 answer questions you understand. If for any reason I'm  
13:32:07 7 talking too fast or garble the question, which happens  
13:32:11 8 on occasion, please ask me to clarify it so that you're  
13:32:15 9 only answering what you understand.

13:32:16 10 A. Uh-huh.

13:32:16 11 Q. Is that okay?

13:32:17 12 A. That's okay.

13:32:17 13 Q. And one final reminder is not to say uh-huh or  
13:32:20 14 huh-uh.

13:32:21 15 A. Okay.

13:32:21 16 Q. And to say yes or no.

13:32:22 17 A. Yes or no.

13:32:24 18 Q. If that is the answer that you want.

13:32:25 19 A. Okay.

13:32:27 20 Q. All right. What is your current job position?

13:32:33 21 A. I'm a design engineer for Southwestern Bell  
13:32:36 22 and I handle the Richardson Wire Center Route 2.

13:32:46 23 Q. How long have you held that position with  
13:32:49 24 Southwestern Bell?

32:51 25 A. Oh, close to 27 years.

13:32:56 1 Q. Is that manager of design engineering?  
32:59 2 A. Yes.  
13:32:59 3 Q. Is the official title?  
13:33:00 4 A. Let me see if it's -- three of those years  
13:33:05 5 were drafting clerk and the rest were design engineer.  
13:33:08 6 It wasn't the same title, but it's the same position.  
13:33:11 7 Q. Okay.  
13:33:12 8 A. They change titles like every three years.  
13:33:15 9 Q. Is the title design engineer or manager design  
13:33:18 10 engineer?  
13:33:19 11 A. Manager design engineer.  
13:33:22 12 Q. Okay. Twenty-four years. I imagine you know  
13:33:25 13 just about every piece of fiber in that area?  
13:33:27 14 A. I haven't been in that specific office for  
13:33:30 15 that many years.  
13:33:30 16 Q. How long have you been in the Richardson CO?  
13:33:33 17 A. Let's see, probably about eight years.  
13:33:37 18 Q. Eight years. Still a long time.  
13:33:38 19 A. It's still a long time, yes.  
13:33:43 20 Q. So you've been with Southwestern Bell for 27  
13:33:46 21 years?  
13:33:46 22 A. Correct.  
13:33:50 23 Q. You've been a manager of design engineering  
13:33:53 24 for 24 years and been in the Richardson CO for the last  
13:33:58 25 eight years?



13:33:58 1 A. Correct.

33:59 2 Q. So do you exclusively work in the Richardson  
13:34:02 3 Wire Center?

13:34:02 4 A. Yes.

13:34:08 5 Q. Can you explain to me the experience you have  
13:34:11 6 with designing fiber, fiber routes?

13:34:16 7 A. The experience I have is what we normally do,  
13:34:20 8 is our planner gives us a plan to implement and we work  
13:34:24 9 on SONET rings in developing the work prints and sending  
13:34:31 10 those out to the field to be worked, ordering the fiber  
13:34:36 11 optic equipment, taking field notes associated with  
13:34:42 12 that.

13:34:45 13 Q. Okay. So the planner gives you a plan to  
13:34:48 14 implement?

13:34:49 15 A. Correct.

13:34:49 16 Q. Does he design the circuit or you design the  
13:34:52 17 circuit?

13:34:52 18 A. We don't design circuits.

13:34:54 19 Q. Or design the fiber route?

13:34:56 20 A. We implement the plan.

13:34:58 21 Q. So has it already been designed when it's  
13:35:01 22 given to you?

13:35:01 23 A. It has -- there's a plan and if we decide to  
13:35:06 24 have input on it, we can talk to the planner, and if  
.35:09 25 they concur, they concur it.

13:35:13 1 Q. So you all come to a mutual agreement about  
13:35:16 2 the route?

13:35:16 3 A. Most of the time it's the planner that tells  
13:35:19 4 us what the main plan is, but we have some input.

13:35:24 5 Q. All right. Then you lead the construction  
13:35:28 6 effort to make sure it gets done?

13:35:30 7 A. Correct.

13:35:31 8 Q. Who draws up the DWO?

13:35:33 9 A. I would.

13:35:35 10 Q. Okay. So you turn the plan into the DWO?

13:35:37 11 A. Right.

13:35:38 12 Q. Or one of your staff does?

13:35:39 13 A. I turn it into the DWO.

13:35:41 14 Q. You actually -- do you --

13:35:43 15 A. I will do the drawings and give it to the  
13:35:46 16 drafting clerk to draw and then those plans are sent out  
13:35:49 17 to the field.

13:35:51 18 Q. So you'll do the drawings by hand --

19 A. Yes.

13:35:53 20 Q. -- to start with?

13:35:54 21 A. Yes.

13:35:55 22 Q. Give it to the drafting clerk and do -- does  
13:35:58 23 the clerk do it by hand or use AutoCAD?

13:36:01 24 A. AutoCAD.

13:36:04 25 Q. Okay. And at that point it's a completed DWO

13:36:09 1 ready for various construction crews to start working on  
13:36:13 2 it?

13:36:14 3 A. Correct. In some cases, however, we will send  
13:36:17 4 out wet copies. Depending on time constraints, we will  
13:36:22 5 do a hand drawing, send that to construction and then  
13:36:25 6 the drafting clerk will draft it. It just depends on  
13:36:29 7 the circumstance.

13:36:30 8 Q. If you're in a rush --

13:36:31 9 A. If we are in a rush and we have time  
13:36:34 10 constraints.

13:36:34 11 Q. And how many fiber designs have you done over  
13:36:41 12 your tenure?

13:36:42 13 A. I have no clue.

13:36:44 14 Q. Thousands, fair to say?

13:36:46 15 A. I wouldn't know. Hundreds.

13:36:50 16 Q. You just do them every day, though?

13:36:53 17 A. Not every day, no.

13:36:55 18 Q. Okay. Something you do on a regular basis?

13:36:58 19 A. On a regular basis, yes.

13:37:00 20 Q. Probably every week?

13:37:00 21 A. It depends. It varies. Depending on if we  
13:37:04 22 get a case for sold services that requires fiber  
13:37:09 23 placement, then, you know, sometimes we will get two and  
13:37:12 24 three in a row.

37:14 25 Q. Uh-huh.

13:37:14 1 A. And they'll come together very quickly. Other  
13:37:17 2 times it could be up to months before I see another  
13:37:20 3 fiber design.

13:37:21 4 Q. Okay. Have you designed all the fiber put in  
13:37:28 5 the ground in the last eight years in the Richardson  
13:37:30 6 area?

13:37:31 7 A. No.

13:37:32 8 Q. Who else has done that?

13:37:36 9 A. PRONTO engineers. I have Route 2. I don't  
13:37:42 10 have all of Richardson.

13:37:44 11 Q. Just Route 2?

13:37:45 12 A. Right.

13:37:47 13 Q. Other than the PRONTO engineers, have you  
13:37:49 14 done, for the most part, all the fiber that's been  
13:37:52 15 installed in your area in the last eight years?

13:37:54 16 A. Most of them, yes.

13:37:56 17 Q. Okay. What is a PRONTO engineer?

13:37:58 18 A. PRONTO engineer is the engineer that handles  
13:38:02 19 putting together the DSL services, like the fiber  
13:38:07 20 cabinets and the fiber associated with getting that  
13:38:16 21 whole project deployed. They came up with a plan, a  
13:38:19 22 PRONTO plan, that deployed fiber.

13:38:23 23 Q. Uh-huh.

13:38:23 24 A. That installed -- you know, it was to install  
38:26 25 equipment and place fibers in various locations, and

13:38:30 1 that engineer got contractors or they did the plans to  
38:35 2 implement that process.

13:38:37 3 Q. Isn't that fiber -- why does that fiber follow  
13:38:42 4 a different process than all the other SWBT fiber?

13:38:44 5 A. Because it was -- it was a different group. I  
13:38:48 6 don't -- I believe it came under a different budget, and  
13:38:51 7 that was for expediency, because I have day-to-day work  
13:38:55 8 that I need to handle, and I'm dealing with customers  
13:39:00 9 and cut cables or new buildings, and for me to work it  
13:39:03 10 into my day-to-day work schedule would be, you know, a  
13:39:09 11 very slow process, so it just expedites matters. It's  
12 an engineer --

13:39:14 13 Q. It's a manpower issue?

13:39:16 14 A. Manpower, yes.

13:39:18 15 Q. But some of the PRONTO -- these DSL services,  
13:39:23 16 do some of them use the fiber that's already in the  
13:39:26 17 ground?

13:39:27 18 A. Yes.

13:39:27 19 Q. I mean, if you've already got fiber there,  
13:39:30 20 they don't go lay fiber right next to it, do they?

13:39:33 21 A. No.

13:39:33 22 Q. Okay.

13:39:34 23 A. Well, it just depends on if we have -- if the  
13:39:37 24 fiber in the ground is of a lesser size than required by  
.39:43 25 the PRONTO deployment, then, of course, they'll place

13:39:46 1 fiber next to fiber, even though there is spare capacity  
39:49 2 in the other fiber.

13:39:51 3 Q. Right. If you only have 20 fibers left and  
13:39:54 4 they need a 144 count --

13:39:56 5 A. Exactly.

13:39:58 6 Q. -- they're going to go ahead and put in a 144?

13:40:00 7 A. Correct.

13:40:03 8 Q. Do they have to install a lot of fiber or were  
13:40:09 9 they able to use the fiber that was in the ground for  
13:40:13 10 the most part?

13:40:14 11 A. They had to use quite a bit -- place quite a  
13:40:15 12 bit of fiber.

13:40:16 13 Q. Was it along the same route --

13:40:19 14 MR. HARTLEY: Object, form.

13:40:19 15 Q. -- for the most part?

13:40:21 16 A. We have standard routes. I mean, there's  
13:40:25 17 different ways to get there, but they're pretty much the  
13:40:28 18 standard routes that we have in place right now.

13:40:49 19 Q. When you're looking at whether or not there's  
13:40:52 20 sufficient, say, fiber capacity for a request --

13:40:54 21 A. Uh-huh.

13:40:55 22 Q. -- do you take into account the fiber that may  
13:40:58 23 have been added by the PRONTO people?

13:41:03 24 A. Well, fiber is fiber.

41:05 25 Q. Fiber is fiber, right?

13:41:07 1 A. Right.

41:07 2 Q. Okay.

13:41:08 3 A. The one thing I didn't mention before, you  
13:41:11 4 mentioned other fiber. I didn't take into account the  
13:41:15 5 Apollo fiber.

13:41:16 6 Q. Okay.

13:41:16 7 A. And the Apollo fiber was handled by another  
13:41:19 8 group, another funding, and it was handled totally  
13:41:23 9 different. It's a whole different ball game. It's  
13:41:26 10 unique to Richardson. Out of the 13 states, it's the  
13:41:30 11 only one like it, where we have fiber to the curb for  
13:41:34 12 residential services.

13:41:35 13 Q. That was -- okay. And I'll probably come back  
13:41:38 14 to Apollo, but --

13:41:41 15 A. But it's significant, because it --

13:41:42 16 Q. That was one of the projects?

13:41:44 17 A. Right, just like PRONTO. It was a manpower  
13:41:47 18 issue where you had a separate group that could  
13:41:51 19 facilitate this effort without going into the daily  
13:41:54 20 routine of the design engineer.

13:41:55 21 Q. So they would throw extra -- just like PRONTO  
13:41:59 22 and Apollo, those are projects where they add special  
13:42:02 23 manpower to help you do all that engineering work needed  
13:42:07 24 to deploy or confirm existing capacity for the needs of  
42:13 25 the special projects?

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13:42:15 1 A. I would say that's correct.

13:42:17 2 Q. Did you catch that?

13:42:18 3 A. Right.

13:42:19 4 Q. Okay. And to finish up our last example,

13:42:26 5 there are routes where you had some spare fiber on the

13:42:30 6 route, but given what the project people wanted to do,

13:42:36 7 they went ahead and added fiber to that route?

13:42:39 8 A. On the PRONTO side.

13:42:40 9 Q. Right.

13:42:41 10 A. Yes.

13:42:42 11 Q. So as your route may have had 24 spare fibers,

13:42:45 12 they may have gone ahead and deployed a 144 count fiber

13:42:50 13 next to it?

13:42:50 14 A. They went -- yeah, they went according to the

13:42:54 15 plan that was drawn up by our planners. All they did

13:42:58 16 was implement the plan that was drawn up for them.

13:43:00 17 Q. So when you do a facility check request in

13:43:03 18 that hypothetical, you wouldn't just look at the 24

13:43:06 19 fiber that were spare originally, you would add the 144

13:43:09 20 in there and consider that as available fiber, also?

13:43:12 21 A. You look at all fibers.

13:43:15 22 Q. All fiber, whether it's PRONTO or Apollo or

13:43:23 23 your normal SWBT fiber that's already in the ground, you

13:43:26 24 consider all that fiber for the facility check response?

13:43:28 25 A. You're talking about in the specific location,

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13:43:30 1 if you're talking about how much -- the facility check  
43:33 2 is for a specific location, like 900 North Dorothy, for  
13:43:41 3 instance. You would look at the fibers in that  
13:43:44 4 building, you know, to see if you had spare capacity and  
13:43:47 5 if you didn't have spare capacity, you would look at all  
13:43:50 6 the other fibers in the underground in order to  
13:43:57 7 activate.

13:43:58 8 Q. Right. I think we are saying the same thing  
13:44:03 9 but let me be sure. If in my hypothetical we had 24  
13:44:08 10 spare fibers, the PRONTO people, people working on the  
13:44:11 11 PRONTO project added another 144 count, if you had to  
13:44:16 12 come up with 30 fibers for a request, I know that's a  
13:44:19 13 lot, but say 30 fibers, you would say, yes, we have them  
13:44:22 14 because you would be -- you have 30 to draw from, you  
13:44:26 15 can draw from the PRONTO fibers?

13:44:28 16 A. Provided that they weren't slated for any  
13:44:30 17 other, you know, project, but, yes.

13:44:34 18 Q. For any project that's really ongoing?

13:44:37 19 A. Right. If you had an ongoing project that we  
13:44:39 20 are going to utilize those fibers, then you couldn't use  
13:44:43 21 them. If you had one in -- had them in a plan.

13:44:46 22 Q. Well, when I say project, I mean an actual  
13:44:49 23 order or some anticipated order.

13:44:51 24 A. Right, exactly. Exactly. But they were  
14:56 25 slated.

13:44:56 1 Q. Because all that fiber is available to you  
44:58 2 when you're responding to a facility check request?

13:45:02 3 A. Correct. But when we get a facility check  
13:45:21 4 it's for a specific location and, you know, we answer it  
13:45:26 5 for the number of fibers we have at that location at  
13:45:29 6 that point in time.

13:45:30 7 Q. Right. What I was trying to clarify is, if  
13:45:35 8 you were trying to check a route for available fiber  
13:45:38 9 based on an A to Z location --

13:45:41 10 A. Right.

13:45:42 11 Q. -- if there is spare fiber there, you wouldn't  
13:45:46 12 say no facility is available just because that fiber was  
13:45:49 13 put in by the PRONTO people?

13:45:53 14 A. No. If you had a project that used those  
13:45:56 15 fibers -- you know, if you had a project upcoming that  
13:46:00 16 those fibers were needed for, then you would say no to  
13:46:04 17 the facility check if those were already slated for  
13:46:08 18 another project.

13:46:10 19 Q. What would be a project -- give me an example  
13:46:13 20 of a project that you would deem to reserve fibers for.

13:46:18 21 A. If -- we -- Richardson is a very unique wire  
13:46:22 22 center because of the Apollo situation.

13:46:24 23 Q. Uh-huh.

13:46:27 24 A. And the fiber to the curb equipment has been  
.46:33 25 manufacturer discontinued. We do not have any -- we

13:46:37 1 have very few replacement parts to repair this equipment  
13:46:49 2 and, therefore, replacing this equipment is imperative,  
13:46:53 3 because people will be out of service if we don't get  
13:46:56 4 this equipment, you know, replaced in an expedient  
13:47:01 5 period of time.

13:47:01 6 Q. Right.

13:47:01 7 A. And so we have an ongoing project -- we have a  
13:47:06 8 project that's going to come in and replace this  
13:47:08 9 equipment.

13:47:08 10 Q. Uh-huh.

13:47:09 11 A. And if those fibers are needed, you know, to  
13:47:13 12 do that replacement process, then that would be  
13:47:18 13 allocation for use, if we were going to have a project  
13:47:22 14 within the next year.

13:47:23 15 Q. But you wouldn't deem those fibers reserved  
13:47:25 16 simply because they may be needed in the future if  
13:47:29 17 there's a problem?

13:47:30 18 A. No, they will be needed in the future. If you  
13:47:32 19 have a specific project that you're going to do --

13:47:37 20 Q. Uh-huh.

13:47:38 21 A. -- that is of urgent nature --

13:47:40 22 Q. Uh-huh.

13:47:41 23 A. -- and you know that you're going to be  
13:47:43 24 issuing -- or you feel that you're going to be issuing  
13:47:46 25 work prints to do this replacement, then you would

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13:47:50 1 utilize those fibers for that project or reserve those  
13:47:54 2 fibers for that project.

13:47:55 3 Q. Okay. In your mind, do you have fibers  
13:47:58 4 reserved along any certain routes for your future Apollo  
13:48:03 5 needs?

13:48:05 6 A. There is one location in particular that came  
13:48:09 7 up as the 900 North Dorothy location where we had fiber  
13:48:14 8 only -- the situation was, 900 North Dorothy is located  
13:48:19 9 in a residential area surrounded by Apollo fiber. The  
13:48:28 10 Apollo fiber -- in this particular instance we got a  
13:48:32 11 facility request for fibers for 900 North Dorothy.

13:48:37 12 Q. You're talking about the instance where -- the  
13:48:40 13 El Paso instance?

13:48:41 14 A. Uh-huh.

13:48:42 15 Q. Okay.

13:48:42 16 A. That was the only location. This is a totally  
13:48:46 17 unique location, because all of the rest of our  
13:48:48 18 businesses are in regular routes. This was totally  
13:48:54 19 unique because they had Apollo fiber associated with it.

13:48:59 20 Q. Uh-huh. What is project Apollo in a nutshell?

13:49:02 21 A. Project Apollo is fiber to the curb, where  
13:49:06 22 fiber cable comes from the central office to a ONU  
13:49:11 23 location, which is a piece of equipment.

13:49:14 24 Q. A what?

13:49:14 25 A. It's called an ONU.

13:49:17 1 Q. Okay.

49:18 2 A. It's a piece of equipment that takes the fiber  
13:49:21 3 cable and converts it to a regular analog signal and  
13:49:27 4 from there coax cables go out to a terminal box and then  
13:49:35 5 we service various homes for services.

13:49:44 6 Q. Was this a -- both a business and a  
13:49:47 7 residential project, to get fiber to the curb of both  
13:49:53 8 businesses and residential?

13:49:55 9 A. Residential.

13:49:56 10 Q. Only residential?

13:49:57 11 A. That's what it was slated for.

13:49:59 12 Q. And in the 900 Dorothy example EPN had  
13:50:03 13 requested a certain level of fibers, and those fibers  
13:50:08 14 were initially -- that request initially came back no  
13:50:11 15 facilities available. Do you recall that?

13:50:12 16 A. Yes.

13:50:13 17 Q. Okay. And upon receiving no fibers available,  
13:50:18 18 the El Paso technicians chose to look at the engineering  
13:50:26 19 records to see how that could be the case?

13:50:29 20 A. Certainly.

13:50:29 21 Q. Do you recall that?

13:50:30 22 A. Yes.

13:50:30 23 Q. And do you recall who that was?

13:50:34 24 A. Sharon -- I don't remember her last name.

50:36 25 Q. Sharon Helms?

13:50:38 1 A. Helms, yes.

50:41 2 Q. So they showed up to look at the records and

13:50:43 3 see why no fiber was available. You recall that, right?

13:50:46 4 A. Yes.

13:50:47 5 Q. And at that -- there were actually multiple

13:50:53 6 visits, weren't there?

13:50:54 7 A. Yes, there were.

13:50:55 8 Q. And Mr. Passmore was on one, also -- Robert

13:50:58 9 Passmore?

13:50:59 10 A. I don't recall talking to him.

13:51:00 11 Q. Do you recall a time where a gentleman showed

13:51:03 12 up with Ms. Helms?

13:51:05 13 A. Okay, yes.

13:51:06 14 Q. Okay.

13:51:07 15 A. I had forgotten.

13:51:11 16 Q. Why don't you tell me how it went from there,

13:51:14 17 how it went -- the first time she showed up what

13:51:16 18 happened?

13:51:17 19 A. The first time she was scheduled to show up, I

13:51:19 20 was ill. The second time she showed up, we discussed

13:51:26 21 the fiber to the curb project. We had -- it was my

13:51:32 22 understanding that Houston was rolling out a process to

13:51:37 23 replace the equipment, the Apollo equipment, and that we

13:51:41 24 would be getting methods and procedures in how to

13:51:44 25 proceed on that shortly, and we were going to gear up to

13:51:52 1 issue work prints as soon as we got the methods and  
51:55 2 procedures on how we were going to deal with that. We  
13:51:57 3 were just waiting on when, where, how, we were going to  
13:52:02 4 implement that new process.

13:52:05 5 Q. Right.

13:52:05 6 A. Converting the old antiquated equipment to the  
13:52:10 7 new process. And we understood that these -- the fibers  
13:52:16 8 would be needed to make this conversion process happen  
13:52:19 9 and that it was coming down the pike. We were ready to  
13:52:22 10 go, but we don't issue DWO numbers or anything until we  
13:52:26 11 actually get the go ahead to, you know, do drawings and  
13:52:31 12 all of that. That is probably the last thing we do,  
13:52:36 13 and --

13:52:37 14 Q. Was the equipment getting switched over or  
13:52:39 15 fiber getting switched over?

13:52:41 16 A. We need fiber -- we need the fiber spares in  
13:52:45 17 order to turn up the new equipment, make the conversion  
13:52:49 18 and then release the old fibers, but it's a cutover.  
13:52:53 19 It's just like a cable throw. I mean, not a cable  
13:52:56 20 throw, but a cutover between like a -- one terminal to  
13:53:01 21 another terminal. You would activate one terminal, do a  
13:53:05 22 recon and then remove the old terminal.

13:53:07 23 Q. And who told you that was going to happen?

13:53:10 24 A. We got information coming from Houston saying  
13:53:13 25 that it was -- I don't remember who and -- it was just

13:53:17 1 talk in the office. We get third-party information, but  
13:53:20 2 there was information that came to our office saying  
13:53:22 3 that there was going to be -- we were going to roll this  
13:53:27 4 on line.

13:53:27 5 Q. Was it an e-mail?

13:53:29 6 A. I don't recall.

13:53:29 7 Q. Was it a phone call?

13:53:31 8 A. I don't recall. We just talked among  
13:53:33 9 ourselves in the office.

13:53:34 10 Q. You and the other OSP people?

13:53:36 11 A. Right.

13:53:37 12 Q. Do you recall --

13:53:38 13 A. I'm not involved in the -- you know, like the  
13:53:42 14 BPON process or all of that. It's been in the works for  
13:53:44 15 years. We heard that there was going to be a roll-out.  
13:53:48 16 We heard that we were going to gear up with work prints  
13:53:51 17 and what have you and that it was going to take their  
13:53:54 18 fibers to cut this stuff over, and that we would  
13:53:58 19 probably start with the locations that were based out of  
13:54:03 20 the central office first because of our remote  
13:54:07 21 terminal --

13:54:07 22 Q. Is this still Apollo you're talking about?

13:54:10 23 A. Yes. We are based out of the central office.  
13:54:12 24 Some of our fibers come directly out of the central  
13:54:15 25 office and go to the various residential areas. Others



13:54:19 1 are based out of RT sites, remote terminals. Some of  
13:54:24 2 our remote terminals are so jammed packed with equipment  
13:54:27 3 that we can't put more equipment into those locations,  
13:54:31 4 so that most likely we would come out of -- go to those  
13:54:35 5 locations that were based out of the central office  
13:54:38 6 first. So this happened to be one of those locations,  
13:54:42 7 and the emergency -- I mean, the --

13:54:45 8 Q. What was that location?

13:54:46 9 A. That was the residential area around 900 North  
13:54:52 10 Dorothy.

13:54:52 11 Q. Is this the project Apollo being converted  
13:54:56 12 over to BPON?

13:54:58 13 A. Yes. It's my understanding at this time, I  
13:55:00 14 don't know whether it's BPON or whether they're -- you  
13:55:03 15 know, they may come up with something else.

13:55:06 16 Q. That was the word you were hearing at the  
13:55:08 17 time?

13:55:09 18 A. Right. That's what I understood.

13:55:10 19 Q. Did you recall anything official coming down  
13:55:12 20 from NSS or planning or any corporate office telling  
13:55:16 21 you: This is going to happen in the next 12 months; we  
13:55:18 22 want you to reserve these fibers? Anything official  
13:55:20 23 like that?

13:55:21 24 A. No. There was an e-mail, someone said that  
13:55:25 25 there was an e-mail that came out saying that this was

13:55:28 1 going to roll out, but we are getting third-party  
13:55:31 2 information here. I'm not involved in BPON. I just  
13:55:34 3 hear from other people in the office.

13:55:36 4 Q. Okay.

13:55:36 5 A. What --

13:55:37 6 Q. Based on the grapevine and people talking in  
13:55:40 7 the halls, you thought it would be a good idea to  
13:55:43 8 reserve this fiber to make sure that you had sufficient  
13:55:45 9 capacity if and when that cutover was going to happen?

13:55:49 10 A. We did -- well, we reserved it in our minds  
13:55:53 11 that, you know, we would need this fiber immediately to  
13:55:57 12 do these work prints, and without these fibers we  
13:56:01 13 couldn't replace this equipment.

13:56:02 14 You have to understand, this is  
13:56:06 15 manufacturer discontinued Apollo equipment that we  
13:56:10 16 cannot provide service. If your service went down  
13:56:12 17 today, we couldn't -- we are running out of parts to be  
13:56:15 18 able to fix the equipment to even repair the service.  
13:56:19 19 So this is like an emergency situation where we would  
13:56:23 20 need to act on this immediately. This is not something  
13:56:26 21 that, oh, maybe sometime in the future I'll think about  
13:56:28 22 doing this. This is a very critical situation.

13:56:34 23 Q. But all this --

13:56:36 24 A. And we knew this.

13:56:37 25 Q. All this was a cutover to new equipment,